

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

Mary Jelnek, as the Personal Representative of the  
Estate of Vincent Slavin, deceased, and on behalf of  
all survivors and all legally entitled beneficiaries and  
family members of Vincent Slavin

Civil Docket Number:

Michael Slavin, individually, as surviving child of  
Vincent Slavin

Mary Jo Slavin, individually, as surviving spouse of  
Vincent Slavin

Jacqueline Beard-Edwards, as the Personal  
Representative of the Estate of Michael Edwards,  
deceased, and on behalf of all survivors and all legally  
entitled beneficiaries and family members of Michael  
Edwards

Jacqueline Beard-Edwards, individually, as surviving  
spouse of Michael Edwards

Catherine Lyn-Shue, as the Personal Representative of  
the Estate of Francisco Munoz, deceased, and on  
behalf of all survivors and all legally entitled  
beneficiaries and family members of Francisco  
Munoz

Catherine Lyn-Shue, individually, as surviving spouse  
of Francisco Munoz

John Doe 154, being intended to designate the  
Personal Representative of the Estate of Chapelle  
Sarker, deceased, said name being fictitious, her/his  
true name is not presently known, confirmed, and/or  
has not been duly appointed by a court of competent  
jurisdiction (or having been so appointed, his or her  
appointment has expired, and/or he or she has ceased  
to serve, and his or her successor has not yet been  
appointed) and on behalf of all survivors and all

**IRAN SHORT FORM**  
**COMPLAINT AND DEMAND**  
**FOR TRIAL BY JURY**

legally entitled beneficiaries and family members of  
Chapelle Sarker

Anthony Stewart, individually, as surviving sibling of  
Chapelle Sarker

John Doe 155, as Personal Representative of the  
Estate of Dorothy Belcher, deceased, the late parent of  
Chapelle Sarker

Mary Lou Moss, as the Personal Representative of the  
Estate of Brian Moss, deceased, and on behalf of all  
survivors and all legally entitled beneficiaries and  
family members of Brian Moss

Mary Lou Moss, individually, as surviving spouse of  
Brian Moss

Ashten Moss, individually, as surviving child of Brian  
Moss

Connor Moss, individually, as surviving child of  
Brian Moss

Christine O'Reilly, as the Personal Representative of  
the Estate of Howard Gelling, deceased, and on behalf  
of all survivors and all legally entitled beneficiaries  
and family members of Howard Gelling

Christine O'Reilly, individually, as surviving spouse  
of Howard Gelling

Deborah Mulford, individually, as surviving sibling of  
Howard Gelling

William Gelling, individually, as surviving sibling of  
Howard Gelling

John Doe 158 being intended to designate the  
Personal Representative of the Estate of Chet Louie,  
deceased, said name being fictitious, her/his true name  
is not presently known, confirmed, and/or has not  
been duly appointed by a court of competent  
jurisdiction (or having been so appointed, his or her  
appointment has expired, and/or he or she has ceased  
to serve, and his or her successor has not yet been

appointed) and on behalf of all survivors and all legally entitled beneficiaries and family members of Chet Louie

Catalina Louie, individually, as surviving child of Chet Louie

Cassandra Louie, individually, as surviving child of Chet Louie

Ken Yazawa Reibman a/k/a Calvin Louie, individually, as surviving child of Chet Louie

Sunny Chiang, as the Personal Representative of the Estate of Alexander Chiang, deceased, and on behalf of all survivors and all legally entitled beneficiaries and family members of Alexander Chiang

Sunny Chiang, individually, as surviving spouse of Alexander Chiang

Devonte Carter, individually, as surviving child of Marcia Cecil-Carter

Devonte Carter, as Personal Representative of the Estate of Andre Carter, deceased, the late spouse of Marcia Cecil-Carter

John Doe 156, being intended to designate the Personal Representative of the Estate of Jeffrey Bittner, deceased, said name being fictitious, her/his true name is not presently known, confirmed, and/or has not been duly appointed by a court of competent jurisdiction (or having been so appointed, his or her appointment has expired, and/or he or she has ceased to serve, and his or her successor has not yet been appointed) and on behalf of all survivors and all legally entitled beneficiaries and family members of Jeffrey Bittner

Pamela Bittner-Conley, individually, as surviving sibling of Jeffrey Bittner

John Doe 157 as Personal Representative of the Estate of Donald Bittner, deceased, the late parent of Jeffrey Bittner

Plaintiff(s),  -against-  Islamic Republic of Iran,  Defendant.
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Plaintiffs named herein by and through the undersigned counsel file this Iran Short Form Complaint against Defendant, the Islamic Republic of Iran (“Iran”), arising out of the September 11, 2001 terrorist attacks (“September 11, 2001 Terrorist Attacks”), as permitted and approved by the Court’s Order of October 28, 2019, ECF No. 5234. Each Plaintiff incorporates by reference the specific allegations, as indicated below, of (a) the Federal Insurance and Ashton Plaintiffs’ Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237, or (b) the Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53.

Upon filing this Short Form Complaint, each Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all causes of action contained within that complaint; all prior filings in connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

Additionally, each Plaintiff incorporates the factual allegations and findings contained in those pleadings and orders filed at Havlish v. Bin Laden, No. 1:03-CV-9848 (GBD)(SN) (S.D.N.Y.), ECF Nos. 263, 294, 295; In re Terrorist Attacks on September 11, 2001, 03-MDL-1570 (GBD)(SN) (S.D.N.Y.), ECF Nos. 2430, 2431, 2432, 2433, 2473, 2515, 2516; and evidence submitted at the proceedings before the Honorable George B. Daniels on December 15, 2011 (ECF No. 2540).

## VENUE

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(f)(1), as a substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper in this district pursuant to 18 U.S.C. § 2334(a).

## JURISDICTION

2. Jurisdiction against the Islamic Republic of Iran is premised on the grounds set forth in the complaints specified below, including but not limited to 28 U.S.C. § 1605(a) (tort exception to the Foreign Sovereign Immunities Act), 28 U.S.C. § 1605A (terrorism exception to the Foreign Sovereign Immunities Act), and 28 U.S.C. § 1605B (Justice Against Sponsors of Terrorism Act).

## CAUSES OF ACTION

3. Each Plaintiff hereby adopts and incorporates by reference all factual allegations, jurisdictional allegations, and jury trial demand, including all causes of action against the Islamic Republic of Iran, as set forth in the following complaint [**check only one complaint**]:

☐ Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237

☒ Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD) (SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53

4. In addition, each Plaintiff hereby asserts the following additional causes of action:

☒ Iran Short Form Complaint First Cause of Action to Recover Wrongful Death Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)

As a factual basis for this cause of action, Plaintiff(s) allege that the allegations set forth in the complaint noted above, as well as the allegations set forth in the Havlish filings noted above, establish that, as set forth herein, the injuries they suffered arose from the September 11, 2001 Terrorist Attacks; Defendant's role in the September 11, 2001 Terrorist Attacks constituted acts of international terrorism that violated state and federal laws pursuant to 18 U.S.C. § 2331; that the September 11, 2001 Terrorist Attacks constituted acts of international terrorism committed,

planned or authorized by an organization that had been designated as a foreign terrorist organization under 8 U.S.C. § 1189; that the September 11, 2001 Terrorist Attacks violated state and federal laws pursuant to 18 U.S.C. § 2331; and that Defendant aided and abetted, by knowingly providing substantial assistance, with others and/or conspired with others who committed an act or acts of international terrorism in violation of 18 U.S.C. § 2333 *et seq.*

☐ Iran Short Form Complaint First Cause of Action to Recover Personal Injury Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)

As a factual basis for this cause of action, Plaintiff(s) allege that the allegations set forth in the complaint noted above, as well as the allegations set forth in the Havlish filings noted above, establish that, as set forth herein, the injuries they suffered arose from the September 11, 2001 Terrorist Attacks; Defendant's role in the September 11, 2001 Terrorist Attacks constituted acts of international terrorism that violated state and federal laws pursuant to 18 U.S.C. § 2331; that the September 11, 2001 Terrorist Attacks constituted acts of international terrorism committed, planned or authorized by an organization that had been designated as a foreign terrorist organization under 8 U.S.C. § 1189; that the September 11, 2001 Terrorist Attacks violated state and federal laws pursuant to 18 U.S.C. § 2331; and that Defendant aided and abetted, by knowingly providing substantial assistance, with others and/or conspired with others who committed an act or acts of international terrorism in violation of 18 U.S.C. § 2333 *et seq.*

#### **IDENTIFICATION OF NEW PLAINTIFFS**

5. The following allegations and information are alleged on behalf of each individual who is bringing this claim, as indicated on Appendix 1 to this Iran Short Form Complaint, herein referred to as "Plaintiffs."

- a. The citizenship/nationality of each Plaintiff is indicated at Appendix 1 to this Iran Short Form Complaint.
- b. Plaintiff is entitled to recover damages on the causes of action set forth in the complaint identified above, as joined by this Iran Short Form Complaint, and as further asserted within this Iran Short Form Complaint.
- c. As indicated at Appendix 1, Plaintiff (i) is the estate representative of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; (ii) is the surviving immediate family member of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; and/or (iii) suffered physical injuries as a result of the September 11, 2001 Terrorist Attacks.

- d. For those plaintiffs with personal injury claims, as indicated in Appendix 1, on or after September 11, 2001, said Plaintiff was present at the Pentagon and/or the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at an area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from the attacks, and/or was otherwise injured, and/or as otherwise alleged, as stated specifically in Appendix 1.
- e. For those plaintiffs with personal injury and/or wrongful death claims, as indicated in Appendix 1, as a direct, proximate and foreseeable result of Defendant's actions or inactions, Plaintiff or his or her decedent suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain and suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and/or as described in the Iran Short Form Complaint, and/or as otherwise may be specified in subsequent discovery proceedings, and/or as otherwise alleged in Appendix 1.
- f. The name, relationship to the injured and/or deceased September 11 victim, residency, citizenship/nationality, and the general nature of the claim for each plaintiff asserting wrongful death and/or solatium claims is listed on the attached Appendix 1, and is incorporated herein as allegations, with all allegations of the related complaints, as specified above, deemed alleged as to each Plaintiff.

#### **IDENTIFICATION OF THE DEFENDANT**

6. The only Defendant named in this Iran Short Form Complaint is the Islamic Republic of Iran.

#### **NO WAIVER OF OTHER CLAIMS**

7. By filing this Iran Short Form Complaint, Plaintiffs are not waiving any right to file suit against any other potential defendants or parties.

8. By filing this Iran Short Form Complaint, Plaintiffs are not opting out of any class that the Court may certify in the future.

#### **JURY DEMAND**

9. Each Plaintiff hereby demands a trial by jury as to the claims in this action.

WHEREFORE, Plaintiffs pray for relief and judgment against Defendant as set forth in this Iran Short Form Complaint as appropriate.

Dated: July 22, 2024

Respectfully submitted,

/s/ Jerry S. Goldman

Jerry S. Goldman, Esq.

Bruce Strong, Esq.

Alexander Greene, Esq.

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*Attorneys for Plaintiffs*



**APPENDIX 1**

Each line below is deemed an allegation, incorporating the allegations, language, and references within the Iran Short Form Complaint to which this Appendix 1 is appended and shall be referenced as Allegation 1 of Appendix 1 to the Iran Short Form Complaint, Allegation 2 of Appendix 1 to the Iran Short Form Complaint, etc.

	<b>Plaintiff's Name</b>	<b>Plaintiff's State of Residency at Filing (or death)</b>	<b>Plaintiff's Citizenship/ Nationality on 9/11/01</b>	<b>9/11 Decedent's Full Name</b>	<b>Plaintiff's Relationship to 9/11 Decedent<sup>1</sup></b>	<b>9/11 Decedent's Citizenship/ Nationality on 9/11/01</b>	<b>Nature of Claim (wrongful death, solatium, personal injury)<sup>2</sup></b>
1	Mary Jelnek	FL	United States	Vincent Slavin	PR	United States	Solatium/ Wrongful Death
2	Michael Slavin	NY	United States	Vincent Slavin	Child	United States	Solatium
3	Mary Jo Slavin	FL	United States	Vincent Slavin	Spouse	United States	Solatium
4	Jacqueline Beard-Edwards	NY	United States	Michael Edwards	PR	United States	Solatium/ Wrongful Death
5	Jacqueline Beard-Edwards	NY	United States	Michael Edwards	Spouse	United States	Solatium
6	Catherine Lyn-Shue	NY	United States	Francisco Munoz	PR	United States	Solatium/ Wrongful Death
7	Catherine Lyn-Shue	NY	United States	Francisco Munoz	Spouse	United States	Solatium
8	John Doe 154	N/A	United States	Chapelle Sarker	PR	United States	Solatium/ Wrongful Death
9	Anthony Stewart	MD	United States	Chapelle Sarker	Sibling	United States	Solatium

<sup>1</sup> For those identified as "PR," such claim is made as the Personal Representative of the Decedent's Estate and on behalf of all survivors and all legally entitled beneficiaries and family members of such Decedent as noted in the case caption.

<sup>2</sup> The PRs identified below are bringing solatium claims on behalf of all survivors and all legally entitled beneficiaries and family members of such Decedent as noted in the case caption.

	<b>Plaintiff's Name</b>	<b>Plaintiff's State of Residency at Filing (or death)</b>	<b>Plaintiff's Citizenship/ Nationality on 9/11/01</b>	<b>9/11 Decedent's Full Name</b>	<b>Plaintiff's Relationship to 9/11 Decedent<sup>1</sup></b>	<b>9/11 Decedent's Citizenship/ Nationality on 9/11/01</b>	<b>Nature of Claim (wrongful death, solatium, personal injury)<sup>2</sup></b>
10	John Doe 155, as Personal Representative of the Estate of Dorothy Belcher	N/A	United States	Chapelle Sarker	Parent (Deceased)	United States	Solatium
11	Mary Lou Moss	TX	United States	Brian Moss	PR	United States	Solatium/ Wrongful Death
12	Mary Lou Moss	TX	United States	Brian Moss	Spouse	United States	Solatium
13	Ashten Moss	CO	United States	Brian Moss	Child	United States	Solatium
14	Connor Moss	TN	United States	Brian Moss	Child	United States	Solatium
15	Christine O'Reilly	NY	United States	Howard Gelling	PR	United States	Solatium/ Wrongful Death
16	Christine O'Reilly	NY	United States	Howard Gelling	Spouse	United States	Solatium
17	Deborah Mulford	FL	United States	Howard Gelling	Sibling	United States	Solatium
18	William Gelling	NJ	United States	Howard Gelling	Sibling	United States	Solatium
19	John Doe 158	N/A	United States	Chet Louie	PR	United States	Solatium/ Wrongful Death
20	Catalina Louie	FL	United States	Chet Louie	Child	United States	Solatium
21	Cassandra Louie	NY	United States	Chet Louie	Child	United States	Solatium
22	Ken Yazawa Reibman a/k/a Calvin Louie	NY	United States	Chet Louie	Child	United States	Solatium
23	Sunny Chiang	NY	United States	Alexander Chiang	PR	United States	Solatium/ Wrongful Death
24	Sunny Chiang	NY	United States	Alexander Chiang	Spouse	United States	Solatium
25	Devonte Carter	NY	United States	Marcia Cecil-Carter	Child	United States	Solatium

	<b>Plaintiff's Name</b>	<b>Plaintiff's State of Residency at Filing (or death)</b>	<b>Plaintiff's Citizenship/ Nationality on 9/11/01</b>	<b>9/11 Decedent's Full Name</b>	<b>Plaintiff's Relationship to 9/11 Decedent<sup>1</sup></b>	<b>9/11 Decedent's Citizenship/ Nationality on 9/11/01</b>	<b>Nature of Claim (wrongful death, solatium, personal injury)<sup>2</sup></b>
26	Devonte Carter, as Personal Representative of the Estate of Andre Carter	NY	United States	Marcia Cecil-Carter	Spouse (Deceased)	United States	Solatium
27	John Doe 156	N/A	United States	Jeffrey Bittner	PR	United States	Solatium/ Wrongful Death
28	Pamela Bittner-Conley	FL	United States	Jeffrey Bittner	Sibling	United States	Solatium
29	John Doe 157 as Personal Representative of the Estate of Donald Bittner	N/A	United States	Jeffrey Bittner	Parent (Deceased)	United States	Solatium